

**U.S. Department of Justice**

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

July 1, 2008

BY FAX

Honorable Loretta A. Preska
United States District Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007

USDC SDNY
DOCUMENT
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Re: United States v. Kawan Piper and Michael Simmons
08 Cr. 591 (LAP)

Dear Judge Preska:

The Government respectfully submits, as an attachment to this letter, a copy of the Indictment in the above-captioned case, which has been assigned to Your Honor. I have been advised by your chambers that the arraignment in this case has been referred to the duty magistrate judge and that the Court has scheduled an initial pre-trial conference for July 22, 2008, at 10:30 a.m. The Government respectfully requests that the Court exclude time under the Speedy Trial Act, 18 U.S.C. 3161, et seq., until the July 22, 2008, pre-trial conference. The Government is in the process of preparing discovery to be produced to the defendants, and the parties are engaged in discussions of a possible disposition of the case. For these reasons, the Government submits that the ends of justice served by the exclusion of time outweigh the best interest of the public and the defendant in a speedy trial

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

By:

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*So ordered.
Loretta A. Preska
USAO*

July 2, 2008

cc: Erika McDaniel Edwards, Esq. (Atty. for defendant Simmons)
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